

QUINN EMANUEL URQUHART & SULLIVAN, LLP

Thomas D. Pease (NJ Bar No. 055421994)

Peter Calamari (*pro hac vice* application pending)

51 Madison Avenue, 22nd Floor

New York, NY 10010

(212) 849-7000 (Phone)

Ethan C. Glass (*pro hac vice* application pending)

Michael D. Bonanno (*pro hac vice* application pending)

1300 I Street NW, Washington, DC 20005

(202) 538-8000 (Phone)

Attorneys for Plaintiff RareGen, LLC

ALSTON & BIRD LLP

Jenny Kramer (NJ Bar No. 014372001)

90 Park Avenue 15th Floor

New York, NY 10016

(212) 210-9400 (Phone)

Michael P. Kenny (*pro hac vice* application pending)

Matthew D. Kent (*pro hac vice* application pending)

Allison S. Thompson (*pro hac vice* application pending)

Jonathan D. Parente (*pro hac vice* application pending)

1201 West Peachtree Street, Suite 4900

Atlanta, GA 30309

(404) 881-7000 (Phone)

Attorneys for Plaintiff Sandoz Inc.

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

Sandoz Inc. and RareGen, LLC

Plaintiffs,

v.

United Therapeutics Corporation and
Smiths Medical ASD, Inc.

Defendants.

Case No. 3:19-cv-10170-BRM-LHG

**[PROPOSED] ORDER TO SHOW
CAUSE WHY (1) EXPEDITED
DISCOVERY SHOULD NOT BE
GRANTED; AND (2) A
SCHEDULING ORDER SHOULD
NOT BE ISSUED**

The Court, having considered the Complaint, Plaintiffs' Application for an Order to Show Cause Why (1) Expedited Discovery Should Not Be Granted; and (2) a Scheduling Order Should Not Be Issued, the Memorandum of Law in Support thereof, and the supporting declarations submitted therewith, and the arguments advanced by Counsel, and for good cause shown, hereby **GRANTS** Plaintiffs' Application.

Specifically, it is hereby **ORDERED** that Defendants must show cause in writing, within 5 calendar days, as to why the following expedited discovery should not occur before the hearing on Plaintiffs' forthcoming motion for a preliminary injunction:

- a. Ten (10) interrogatories per side;
- b. Twenty (20) requests for production per side;
- c. Five (5) non-expert depositions per side; and
- d. Two (2) expert reports per side, with expert depositions to follow.

It is further **ORDERED** that Defendants must show cause in writing, within 5 calendar days, as to why the following scheduling order should not be entered regarding Plaintiffs' forthcoming motion for a preliminary injunction:

EVENT	DATE
Service of interrogatories and requests for production	Within 4 days after entry of the scheduling order
Responses and objections to written discovery	Within 1 week after service of written discovery
Completion of document productions	Within 2 weeks after responses and objections to written discovery
Completion of non-expert depositions	Within 3 weeks after completion of document productions
Exchange of expert reports	Within 1 week after completion of non-expert depositions
Completion of expert depositions	Within 2 weeks after exchange of expert reports
Plaintiffs' motion for preliminary injunction	Within 1 week after completion of expert depositions
Defendants' opposition	Within 1 week after motion for preliminary injunction
Plaintiffs' reply brief	Within 5 days after Defendants' opposition
Preliminary injunction hearing	The Court's earliest available date after August 1, 2019

It is further **ORDERED** that Plaintiffs shall serve this Order on Defendants, through their counsel, as soon as practicable.

IT IS SO ORDERED.

Dated: